

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Eek et al.  
Serial No. : 09/463,920  
Filed : February 1, 2000  
For : NEW PHARMACEUTICAL FORMULATION  
Examiner : Tran, Susan T.  
Group Art Unit : 1615

*P. TUCK*  
*19/c*  
*10/9/03*

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<b>CERTIFICATE OF TRANSMISSION</b> <b>UNDER 37 C.F.R. 1.8</b> I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office on September 25, 2003 at the facsimile number 703-872-9306.	
John M. Genova	32,224
Agent Name	PTO Reg. No.
<i>John M. Genova</i>	<i>25 September 2003</i>
Signature	Date of Signature

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SEP 26 2003

Assistant Commissioner for Patents  
Washington, D.C. 20231

**ATTENTION:** Examiner Susan T. Tran  
**FACSIMILE NO:** 703-872-9306  
**DATE:** 25 September 2003  
**PAGES:** 18 including RCE (PTO/SB/30) and Fee Transmittal (PTO/SB17)

**AMENDMENT SUBMITTED CONCURRENTLY WITH**  
**REQUEST FOR CONTINUED EXAMINATION UNDER 37 C.F.R. §1.114**

Sir:

Applicant submits this Amendment concurrently with a Request for Continued Examination ("RCE") in response to the final Office Action, mailed March 26, 2003, and the Advisory Action, mailed July 28, 2003.



Applicants petition for a three month extension of time. Authorization is provided by the accompanying Fee Transmittal (PTO/SB/17) to charge Deposit Account No. 23-1703 in the amount of Nine Hundred and Thirty Dollars (\$930.00) to cover the extension fee as required by 37 C.F.R. §§1.17(a)(3) and 1.136.(a).

**Listing of Claims** begins on page 3 of this paper.

**Remarks** begin on page 10 of this paper.

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